

## **Minutes: Leesburg Planning Commission August 2, 2001**

The Leesburg Planning Commission met on Thursday, August 2, 2001 at 7:00 p.m. in Council Chambers at 25 West Market Street, Leesburg, VA. Staff members present for the meeting were Lee Phillips, Paul Gauthier, Nancy Costa, Brian Boucher and Jennifer Moore.

### **CALL TO ORDER:**

The meeting was called to order at 7:02 p.m.

### **ROLL CALL:**

Present: Chairman Vaughan  
Commissioner Kennedy  
Commissioner Werner  
Commissioner Zawacki  
Commissioner Schonberger  
Commissioner Minchew  
Councilmember Umstattd

Absent: Vice-Chairman Cable

### **ADOPTION OF AGENDA:**

Commissioner Kennedy made a motion to adopt the agenda with an addition by Commissioner Zawacki under New Business.

Motion: Kennedy  
Second: Schonberger  
Carried: 6-0

### **APPROVAL OF MINUTES:**

Commissioner Kennedy made a motion to approve the minutes of July 19, 2001 with changes.

Motion: Kennedy  
Second: Schonberger  
Carried: 6-0

**CHAIRMAN'S STATEMENT:**

Chairman Vaughan welcomed the newest member to the Planning Commission Teresa Minchew. He stated that he is looking forward to working with her.

**REMARKS BY PETITIONERS:**

Ms. Stephanie Swartz of 107 Pheasant Place, SW, came forward to speak. Ms. Swartz stated that she is a resident of the neighborhood where the special exception for the Rise and Shine Day Care is being considered. She stated that she lives across the street from where the day care is currently being operated.

Ms. Swartz stated that she does not welcome the adverse affect that the commercial business is bringing to the neighborhood. She stated that the neighborhood is a very small community and there are no through streets in the neighborhood and was a big reason why they purchased their home in that neighborhood.

Ms. Swartz stated that the commercial use for this residence would introduce a substantial amount of traffic into the neighborhood. She stated that the children in the neighborhood must walk down to the entrance of the subdivision to catch the bus during the school year and the increase in traffic makes that extremely dangerous.

Ms. Swartz stated that there would be 48 extra vehicle trips per day in a community that only has 17 homes and she believes that that is excessive.

Ms. Swartz would also like to bring it to the Commissions' attention that it was because of some of the questions and complaints to the Zoning Department that this application is even before the Commission.

Ms. Ann Dobies of 206 Wing Tip Court, SW, came forward to speak. Ms. Dobies stated that she has the same concerns as Ms. Swartz. She stated that her children walk the farthest to the bus stop and she is very concerned about the traffic this business would generate.

Mr. Dennis Shea of 112 Pheasant Place, SW, came forward to speak. Mr. Shea stated that he is concerned about the traffic safety issue. He stated that he knows his neighborhood and uses caution while driving through the neighborhood and he does not believe that people who do not live in the community would be as cautious.

Ms. Janet Hensley of 111 Pheasant Place, SW, came forward to speak. Ms. Hensley stated that she concurs with the others that have spoken have said regarding this application. She stated that there were two or three particular incidents that bothered her and she went on to describe those. She stated that she was in her yard with another neighbor and one of the parents of the children at the day care came over to the sidewalk where they were standing and became very confrontational and Ms. Hensley

stated that she felt threatened. She stated that this was not the atmosphere in the neighborhood prior to the establishment of the day care.

Ms. Helen Dollarton of 18660 Potomac Station Drive, came forward to speak. Ms. Dollarton stated that she is one of the parents that have a child in the day care. She stated that she is very much in support of this application. Ms. Dollarton went on to point out some situations that she personally witnessed between the neighbors. Ms. Dollarton stated that many times she has witnessed children playing in the streets of the subdivision with no supervision and she believes that this adds more to the safety of the streets than the day care facility.

Mr. John Gant of 602 Duff Road, came forward to speak. Mr. Gant stated that he is a former client of the applicant at the previous residence. He stated that he came to speak on the applicant's behalf, he stated that they did enjoy using Ms. Khalid as a day care provider and he believes that she is providing a wonderful service for the Town.

Mr. Gant stated that what he has heard tonight is that the residences are most concerned about traffic and the parents of children at the day care are concerned about the lack of supervision of children in the neighborhood.

Mr. Gant stated that as a parent he is well aware of children playing outside in a cul-de-sac and he believes that the parents who utilize the day care are probably even more aware than the parents who live in the neighborhood.

Mr. Gant also stated that there are only eight cars that drop off and the Town would only be looking at 16 trips and not 48, therefore the impact would not be as great as others have stated.

Mr. Gant stated that he believes that the parents that live on the street should pay more attention to their own children and supervise them more closely and that would alleviate some of the fears that they have about traffic.

#### **SUBDIVISION AND LAND DEVELOPMENT:**

##### **HAMPTON INN – Preliminary/Final Development Plan – Nick Colonna, Senior Planner**

Mr. Colonna went over the background of this application. He stated that staff has completed the review of this application and has recommended approval contingent upon a few minor changes listed in the staff report.

Mr. Merchant McDonald, representative for the applicant came forward to speak. Mr. McDonald stated that he is aware of the comments that need to be addressed and they have committed to addressing those issues and he would answer any questions that the Commission may have for him.

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Motion: Kennedy  
Second: Schonberger  
Carried: 7-0

### **ROUTE 621 PARK – Preliminary/Final Development Plan –** Delane Parks, Senior Planner

Mr. Parks stated that this is the second submission of the plan. He stated that a Town park is proposed at the intersection of Evergreen Mill Road and Tolbert Lane. He stated that they have proposed four baseball diamonds and a multi-purpose field at this site.

Commissioner Werner asked what would surround the area. Mr. Parks stated that once Battlefield Parkway is completed it would be surrounded on three sides by highway and on the other side by residential homes.

Mr. Parks stated that the Planning Department and the Engineering Department have reviewed this plan and the comments are in the packets. He stated that there are comments but nothing to warrant a recommendation of denial.

Commissioner Werner asked about turn lanes in and out of the park. Mr. Gauthier stated that a traffic study was done and what is shown on the plan is consistent with the study.

Commissioner Werner asked if the number of parking spaces that are proposed would be adequate if all fields are being utilized at the same time. Mr. Parks stated that the standards in the Ordinance were reviewed and staff determined that it did meet the adequate parking space requirements for that type of use. Mr. Johnson came forward and he stated that the Town has well over 60 spaces per field and by comparison the County uses 45 spaces per field.

Commissioner Kennedy asked if the staff has looked at using the dry pond area as a parking facility. Mr. Johnson stated that he believes that the land there slopes and would not be available for parking, however, there is some area surrounding the park that could be used for parking expansion if necessary, however, staff believes that the proposed parking would be adequate.

Vice Chairman Cable asked what type of fencing would be used and where would it be placed. Mr. Johnson stated that it would be board on board fencing around the entire periphery. Vice Chairman Cable then asked about the fencing for the fields. Mr. Johnson stated that it would be the standard chain link fencing around the entire field.

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Vice Chairman Cable asked if there is a walkway along the roadway from the residential area. Mr. Johnson stated that there is a proposed trail for that area.

Vice Chairman Cable asked what the multi-purpose court surface would be made of when complete. Mr. Johnson stated that it would be grass.

Commissioner Schonberger asked what was the size of the proposed fields. Mr. Johnson stated that they are to be 200-foot ball fields. Commissioner Schonberger asked if consideration had been given to an adult field at that site. Mr. Johnson stated that he looked at it, however the immediate need is for little league fields and if they added the 300-foot field they would have to eliminate two of the little league fields.

Commissioner Schonberger stated that he would like to see a 300-foot field on this site because there is a shortage of adult fields in the County. He would like the staff to go back and look at putting a 300-foot field on this site.

Commissioner Minchew asked when staff anticipated the completion of Battlefield Parkway. Mr. Johnson stated that at this time staff is not sure of the time frame for that project.

Commissioner Zawacki asked if there would be access to this park from Evergreen Mills Road. Mr. Parks stated that the only access would be from Tolbert Lane.

Commissioner Zawacki asked if there would be a concession stand at the park and if so what kind of arrangements have been made for trash pick up. Mr. Johnson stated that there would be a concession stand. He stated that they are required to have a dumpster as well as receptacles and pointed those out on the plan.

Commissioner Zawacki asked if there would be public address systems at the fields. Mr. Johnson stated that there would be, however they would be oriented in such a way that they are buffered from the residences.

Chairman Vaughan asked if there would be any berming on the site. Mr. Johnson stated that there would be none except to get to the grades.

Chairman Vaughan asked what safety provisions would be in place on the property. Mr. Johnson stated that the concession stand would have a first aid station inside of it and the Parks and Recreation employees are trained in first aid. Mr. Johnson stated that there would be Parks and Recreation personnel on duty at every event.

Chairman Vaughan asked if the fields would be lit. Mr. Johnson stated that the field would be lit and it has been done in a way that is very sensitive to the surrounding residents.

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Chairman Vaughan stated that he is concerned that this plan does not include basketball courts. He asked why they were not included on this project. Mr. Johnson stated that he cannot answer that question, but would be glad to share that with the Director of Parks and Recreation.

Commissioner Schonberger asked if there is a need for the multi-purpose field at this location given that the Town has just created several within Parks and Recreation and could possibly provide a basketball facility and perhaps one full sized baseball facility along with three little league facilities. Mr. Johnson stated that the football field was eliminated at Ida Lee as well and this multi-purpose field would compensate for the elimination of that football field.

Mr. Phillips stated that he would be willing to ask the Director of Parks and Recreation to attend a Planning Commission meeting and address those concerns, however, he believes that the questions that are being asked are beyond what the staff present can answer. Commissioner Schonberger stated that he would like to have Mr. Dentler come to the next meeting.

Mr. Johnson stated that the Parks and Recreation Department is in the process of doing a Comprehensive Parks Plan for the Town.

Chairman Vaughan stated that he is not in a position where he feels comfortable voting for approval for this application without knowing the master plan for the Town.

Vice-Chairman Cable stated that as far as organized basketball that is usually played inside a gymnasium and she believes that because more schools are being constructed that will mean more facilities for organized basketball.

Vice-Chairman Cable asked if the use of this park went out for citizen input. Mr. Johnson stated that it did go before the Parks Commission and citizens were permitted and did speak before that Commission. She stated that she has not heard anyone complain about not having other facilities at this site, she has only heard citizens talk of the urgency of needing the facilities that are currently being recommended in the plan.

Vice-Chairman Cable stated that she does not want to see this particular project held up and would like to see the Commission move forward with a recommendation tonight. She stated that she believes the other issues are legitimate issues and would like to see them addressed at a later date.

Commissioner Schonberger stated that he would like to defer action on the plan so that the Commission can hear from the Director of Parks and Recreation at the next meeting. Mr. Johnson stated that he would like to remind the Commission that this is

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a concept plan and it may look open or like there is plenty of room, but that is not the case, it is very tight.

Commissioner Cable stated that if what the Commission is looking for is a complete revision of this plan, she is not in favor of holding this plan up.

Chairman Vaughan stated that he does not have a problem with approving this plan as it is to move it along, however he does have a dire need to know the answer to the questions about adult baseball fields and basketball courts. He believes that a commitment on those issues needs to come before this plan is approved.

Commissioner Zawacki stated that the Town has appointed a Parks and Recreation Citizens Advisory Committee and their job is to advise the Town as to what facilities are needed and if the Commission has input then this Commission should be appearing before that advisory committee.

Commissioner Minchew stated that she believes that it would be helpful to have a presentation from Parks and Recreation, however she is uncomfortable postponing action on this project while awaiting that presentation.

Commissioner Schonberger stated that he is not opposed to this plan, he is just surprised by it, because it was not what was represented to the Commission during the planning stages. He does agree that if this is the best use of this location then he is willing to move forward.

Chairman Vaughan stated that the commitment for these facilities has been so pervasive over the years that his position is he is willing to hold this plan hostage until he can get a commitment from Parks and Recreation as to what the full intentions are for basketball courts in the Town.

Vice-Chairman Cable made a motion to move forward with a recommendation to Council for approval of this application per the comments in the staff report.

Motion: Cable  
Second: Schonberger  
Carried: 6-1 with Chairman  
Vaughan voting Nay

Vice-Chairman Cable stated that this approval is with the understanding that the Director of Parks and Recreation will come before the Commission at their next meeting with a presentation on an adult sized baseball field and basketball facilities that have been overlooked in the opinion of the Commission.

Commissioner Zawacki also asked that Mr. Elgin be asked to attend the meeting at that time.

**COMPREHENSIVE PLANNING ITEMS**

**KHALID RISE AND SHINE DAY CARE – Special Exception – Nancy Costa, Senior Planner.**

Ms. Costa stated that the applicant is requesting permission from the Town to have a childcare center in her home. Ms. Costa stated that the applicant is requesting to care for up to 12 children at the residence. Ms. Costa went over several conditions that staff has placed on the application if granted approval.

Vice-Chairman asked if there is a required size for the play area for a specific number of children at a day care center. Ms. Costa stated that she spoke with someone from the Fairfax office that monitors those regulations and there are no regulations for day care centers in a residential area.

Vice-Chairman Cable asked if condition number three is a regular Town condition. She stated that it sounds as if it is a disclaimer. Mr. Gauthier stated that he wrote this and one of the concerns that he had was even though the Engineering Department did not speak to safety as an issue, because that is a subjective issue, he felt that there should be some thing alleviating the Town of responsibility if the applicant lets the kids run onto the public streets and something happens.

Vice-Chairman Cable stated that she was also confused about the Fire Marshall's safety issues that he recommended to have in place. Ms. Costa stated that she is waiting for more clarification from the Fire Marshall, she would note that originally he had requested sprinklers because he thought that the residence did not have a second exit, however it was pointed out that the home does have a walk out basement and that would alleviate the need for a sprinkler system.

Commissioner Minchew asked if the streets in the neighborhood were public streets. Ms. Costa stated that they are public streets.

Commissioner Minchew asked if there is an expiration of the Special Exception. Ms. Costa stated that it would continue until the applicants stopped doing that type of business or until the vacated the premises or if Zoning feels the regulations are not being followed.

Commissioner Minchew asked if the Town has received anything from the Homeowners Association. Ms. Costa stated that she has not received anything specifically from the Homeowners Association.



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Commissioner Minchew asked if there would be other employees. Ms. Costa stated that there is another relative that lives in the home that would be working there and there is another relative that does not live in the home that would travel in to help on a part-time basis.

Ms. Khalid, applicant, came forward to speak. Ms. Khalid stated that she is state licensed to care for 12 children in her home. Ms. Khalid stated that she did speak with the Fire Marshall and he has told her that sprinklers are not required because she has a walk out basement.

Ms. Khalid stated that staff has recommend that she only be permitted to have nine children, however she has submitted the application for 12 and would like the Commission to consider 12 children. Ms. Khalid stated that in speaking with staff, staff is recommending only nine children because of the noise factor. She stated that the children that she takes care of are mostly infants and toddlers and she does not have a lot of time to be outside with all of them at the same time and does not feel that noise would be a factor. Ms. Khalid stated that the neighbors have not expressed concern to her about the noise.

***At this point the recording device stopped working.***

Commissioner Kennedy stated that he is concerned with the noise that 12 children plus Ms. Khalid's children would generate in such a small area.

Commissioner Kennedy recommended that Ms. Khalid look at a residential facility to house a day care center instead of the residential neighborhood.

Commissioner Cable asked if the state license specified an age range. Ms. Khalid stated that the state licenses are for children ages 0 to 12, however her business is only for infants and toddlers.

Commissioner Schonberger asked how many children are presently being cared for in the residence. Mr. Khalid stated that she has a total of 10 children enrolled, however they are on different schedules and she rarely has 10 children there at the same time. Commissioner Schonberger asked what was the most number of children in the house at a time. Ms. Khalid stated that the most right now is eight.

Commissioner Minchew asked if Ms. Khalid would consider formerly limiting the ages of the children in her care. Ms. Khalid stated that she would. Commissioner Minchew asked if she would consider the Town limiting the number of years that she can operate this business. Ms. Khalid stated that she does not want to limit the number of years.

Commissioner Minchew asked how Ms. Khalid felt about staff's recommendation for limiting the playtime. Ms. Khalid stated that she has no problem with that condition.

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Commissioner Minchew wanted to make sure that Ms. Khalid understood the restrictions that staff has placed on the playtime. Ms. Khalid stated that she did not understand that a certain time of the day restriction would be placed on the business, she thought that she would have to limit the number of children that could be outside playing at a given time. Ms. Costa stated that her intent was to limit some of the noise.

Chairman Vaughan asked if the applicant was in agreement with all conditions that staff has imposed except limiting the number of children to nine. Ms. Khalid stated that that is correct.

Mr. Phillips stated that he would like to speak with staff about the enforcement of setting a time limit on when the children can be outside and bring that back to the Commission at the next meeting.

Commissioner Werner asked if there was anything in the Homeowners Association by-laws about operating a home business. Ms. Costa stated that she did not have a copy, but she would check into that matter. Ms. Khalid stated that when they purchased the house their attorney looked into whether this business would be permitted and there was nothing in the Homeowners Association by-laws regarding home businesses.

Commissioner Werner stated that she has concerns about approving this application. She stated that 12 children is a lot and even nine causes great pause and she would like to wait to make her final decision until staff has more information.

Chairman Vaughan stated that he has concerns with this application as well. He stated that he wants to make sure the he acts with some type of consistency and he stated that he recalls that each similar application in the past that he has been involved in has been approved. Chairman Vaughan asked staff to check prior applications similar to this one and report back to the Commission at the next meeting.

### **COUNCIL REPRESENTATIVE'S REPORT:**

None

### **STAFF AND COMMITTEE REPORTS:**

Chairman Vaughan reported on the Board of Architectural Review meeting.

### **OLD BUSINESS:**

Vice Chairman Cable asked for a little more information in the project report that is given to the Commission. Mr. Phillips stated that the information that staff now

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provides is just a brief summary only for Planning Commission and it would be very difficult to add more information given staff constraints. Vice-Chairman Cable requested that the Commission just be given copies of the Town Manager's report and Mr. Phillips agreed that would probably be best.

Mr. Gauthier came forward and addressed the Commission on the Raflo Park issue. Mr. Gauthier stated that there was a \$4,000.00 contribution that was made by Middleburg Bank. He stated that currently it is earmarked under Capital Improvement Projects under the project name, South Harrison Street trail.

Mr. Gauthier stated that the developer posted a Performance Bond for public improvements on the site and when time came to release the bond the Finance Department held back \$4,000.00. He presented the Commission with a copy of the description of the project as it exists in the Capital Improvements Project (CIP) list. He stated that the project has been in the CIP list for the last three fiscal years. The Council has moved it from completion in 2001 to completion in 2006.

Mr. Gauthier stated that Commissioner Kennedy had mentioned \$8,000.00 for the project and wondered where that figure was coming from. He stated that the other \$4,000.00 came from "Style On Wheels" and that business has since gone out of business. Commissioner Kennedy stated that the owner had wanted to cut down trees and did not want to place a sidewalk in the area of his business and since most of the area did not have a sidewalk the owner agreed to add \$4,000.00 for the other sidewalk. Mr. Gauthier stated that he would research that information.

### **NEW BUSINESS:**

Commissioner Kennedy stated that he is extremely bothered by staff's recommendation to Council regarding Potomac Crossing. Commissioner Kennedy the Commission voted to approve the application based on the staff's recommendation to the Commission for approval.

Commissioner Kennedy stated that the Commission, based on staff's recommendations decided that the preservation of the Hunton Place lots was not paramount and voted that way.

Commissioner Kennedy stated that in the packets to Council on June 2<sup>nd</sup> staff's recommendation was for approval. However, when it when to the Council's meeting on July 9<sup>th</sup> there was a staff recommendation for denial. He stated that that infuriates him.

Commissioner Kennedy stated that he has a real problem with the fact that the applicant was not notified of staff's recommendation reversal prior to the Council meeting. He stated that he believes that staff showed an unfair attitude towards the applicant.

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Commissioner Kennedy stated that it is clear to him that the Town Attorney had something to do with the change in recommendation. He believes that it is not staff's responsibility to respond to the populous, it is staff's responsibility to present the best possible plan and present that to the Commission.

Chairman Vaughan would like to give the staff a chance to comment. Commissioner Kennedy stated that he would prefer the response in writing. Chairman Vaughan would like to hear staff's comments.

Commissioner Werner would like it noted that even though the other Commissioners may not be as vocal as Commissioner Kennedy there are others that feel the same way about this issue.

Mr. Hodgson stated that there was a number of issues originally that staff listed as conditions. He stated that as the application progressed those issues were addressed and removed from the list of conditions. However, the Hunton Place issue remained on the list as an outstanding issue, when the staff report went through the normal procedure of being approved by the Executive Office, the Town Attorney made the determination that even though there only one issue outstanding the staff's recommendation has to be for denial unless they proffer Hunton Place.

Mr. Hodgson stated that if you look through the staff reports, the staff never made an overall recommendation, staff just kept a list of outstanding issues.

Chairman Vaughan stated that he hopes that staff can understand the Commission's position on this subject.

Commissioner Kennedy stated that he has a letter from Doug Fleming, the applicant's representative, and staff did not respond to that letter. Mr. Hodgson stated that he did receive that letter and the letter was a very positive letter and he did not feel that Mr. Fleming was expecting a response.

Mr. Phillips stated that Mr. Hodgson was told that Hunton Place was not part of the application. Mr. Phillips stated that Mr. Fleming and Mr. Miller told Mr. Hodgson that Hunton Place was not germane, yet they wrote that letter to him and copied the Mayor and said they would bring that into the application later with the rezoning.

Commissioner Kennedy stated that this was not handled well and he would be in the Town Manager's office tomorrow morning to deal with it.

Chairman Vaughan asked the Commission to move on. Mr. Gauthier stated that he would like to make a comment. Mr. Gauthier stated that he needs a clarification. He asked the Commission if they are telling staff that if staff's gives its professional opinion and the Commission acts contrary to that opinion then staff is to submerge their professional opinion when the application is taken to the next level.

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Commissioner Kennedy stated that when staff gives it professional opinion and the Commission acts according to staff's recommendation and then staff changes their professional opinion that puts the Commission in an awkward position.

Mr. Gauthier stated that he is not going to tell the Commission that that never happens. He stated that he is more concerned with the indication that if staff has a professional opinion and it is different than the Commission's then staff is to suppress their opinion. He stated that he is never going to do that. Commissioner Kennedy stated that staff misunderstands what he is saying, he is not asking staff to do that; he is concerned with the change in recommendation from the Planning Commission to the Town Council.

Mr. Gauthier stated that sometimes the application changes or staff receives new information that warrants a change in recommendation at the Council level. Mr. Gauthier stated that as professional's staff's duty is to give their best professional opinion to the Commission and the Council and it is the Commission's choice whether or not they choose to agree.

Chairman Vaughan asked Commissioner Kennedy about the flowerpots. Commissioner Kennedy stated that he had forgotten about them and he will work on it immediately.

Commissioner Zawacki stated that he would like an opportunity to comment on the Potomac Crossing application. Commissioner Zawacki stated that he believes that staff should have the opportunity to make any recommendation they want to the Commission and any appropriate recommendation to Council. He stated that if a legal opinion from the Town Attorney has caused the staff to change their recommendation then he does not have a problem.

Commissioner Zawacki stated that maybe the problem is that the Commission has adopted the idea that the Town Attorney does not have to attend the Planning Commission meetings. He stated that maybe if the Town Attorney attended the Planning Commission meetings this could have all been brought forth at the Commission level rather than at Council level.

Commissioner Zawacki stated that it is his opinion that staff had better respond to public input. He stated that to ask staff not to make a recommendation based on what happens in a public hearing is idiotic. He stated that staff's job is to be servants of the public and that is the Commission and Council's jobs as well and if something comes out in a public hearing that causes staff to change its opinion or to look at additional material then the hearing has served its purpose.

Commissioner Zawacki also pointed out that recommendations from the Commission should go in writing to the Council separately from staff. He stated that the Commission should not make a determination and then expect staff to stand up and defend it in front of Council.

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Commissioner Zawacki also stated that all recommendations to Council from staff are addressed to Mr. Noe and sent to him for delivery to Council. He stated that if Mr. Noe chose not to read this recommendation and needs to research the material, then he should look more closely at what comes through his office.

Commissioner Zawacki stated that a note to the Commission would have been appropriate to simply explain the situation and he believes that the applicant should have been notified of the change sooner as well.

Commissioner Werner stated that the Planning Commission did make a request to the Town Attorney to attend the meetings and it was determined that he would be available when needed.

Commissioner Werner stated that she believes that some of these matters would need to be taken up with Mr. Tompkins.

Vice-Chairman Cable stated that at the last meeting the Commission had asked for some information on several issues and would like to know where those issues stand.

Ms. Moore stated that one of the issues was a GIS presentation. She stated that she spoke with the IT Department and they stated that they would be happy to make a presentation for the Commission when they have a lighter agenda.

Commissioner Werner also welcomed Ms. Minchew to the Commission.

Commissioner Schonberger stated that he was not acknowledged during the discussion on Potomac Crossing and would like to address that at this time. He stated that he hopes the record would reflect that the comments that have been made have been comments of individual Commissioners and not the Commission as a body speaking.

Commissioner Schonberger stated that when he looks at a staff recommendation he analyzes it independently and he believes that if the recommendation from staff changes from the Commission to the Council then it is staff that has to explain that to Council. He stated that he had no problem with staff changing its recommendation on this issue and supports Commissioner Zawacki's comments.

### **ADJOURNMENT:**

There being no further business the meeting adjourned at 10:10 p.m.